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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/040,281	11/07/2001	Jeffrey L. Browning	B129USCP2DV2CO

Patent Administrator
BIOGEN, INC.
14 Cambridge Center
Cambridge, MA 02142

CONFIRMATION NO. 9658

FORMALITIES LETTER



OC000000008807514

Date Mailed: 09/18/2002

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 05/28/2002 to the Notice to File Missing Parts (Notice) mailed 02/26/2002 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

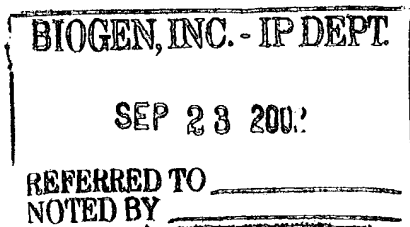
The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52 because:
 - The specification cannot be scanned or properly stored. Page(s)
 - Papers must be legibly written either by a typewriter or mechanical printer in permanent ink or its equivalent in portrait orientation on flexible, strong, smooth, non-shiny, durable, and white paper. Application papers must be presented in a form having sufficient clarity and contrast between the paper and the writing thereon to permit the direct reproduction of readily legible copies in any number by use of photographic, electrostatic, photo-offset, and microfilming processes and electronic reproduction by use of digital imaging and optical character recognition. Pages 94 are not in compliance with 37 CFR 1.52(a). *The drawings filed are unacceptable because:*
Replacement page(s), together with a statement that the replacement page(s) contain no new matter, are required.



- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or

1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



Docket: B129 USCP2DV2CN

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Browning et al.
U.S. Serial No.: 10/040,281
Filing Date: November 7, 2001
For: Lymphotoxin- β , Lymphotoxin- β Complexes, Pharmaceutical
 Preparations and Therapeutic Uses Thereof

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Post Office as Express Label No. EL798594013US in an Express Mail Envelope addressed to Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231 on the date shown below.

Date: 26 Sept. 2002

Signature: Jeanne S. Schmitter

Jeanne S. Schmitter

Response to Notice of Incomplete Reply of a Nonprovisional Application

Box Missing Parts
Commissioner for Patents,
Washington, D.C. 20231

Sir:

In response to the Notice of Incomplete Reply of a Nonprovisional Application mailed September 18, 2002, Applicant hereby requests a five-month extension of time. Applicants previously submitted a Response to File Missing Parts on May 28, 2002 and paid for a one-month extension of time and a surcharge of \$130.00 for a late filing fee. Therefore, Applicants believe that they owe a balance of \$1850.00 (\$1960-\$110).

Enclosed please find a substitute specification in compliance with 37 CFR 1.52; 18 sheets of drawings; Sequence Listing on paper and in computer readable form with Statement; Letter to the Chief Draftsperson with 18 pages of formal drawings, Figs. 1A-16B-4; copy of the Notice of Incomplete Reply (Nonprovisional).

Please charge our deposit account 02-2327, \$1850.00 as payment for a five-month extension of time and for any other deficiencies that may be necessary.

Respectfully submitted,

Date: 9-26-02

John T. Li

John T. Li
Reg. No. 44,210
BIOGEN, INC.
14 Cambridge Center
Cambridge, MA 02142
(617) 914-4704



9-27-02

03004
Post Sec
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Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (6-98)
Approved for use through 09/30/2000. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/040,281	
	Filing Date	11/07/2001	
	First Named Inventor	Browning, Jeffrey et al.	
	Group Art Unit	1635	
	Examiner Name	TBD	
Total Number of Pages in This Submission	108 100	Attorney Docket Number	B129USCP2DV2CN

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input checked="" type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below) Replacement Specification with Statement; Sequence Listing (paper and computer-readable form) with Statement; copy of Notice of Incomplete Reply dated 9/18/02.
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	John T. Li, Reg. No. 44,210
Signature	John T. Li
Date	26 September 2002

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: 26 Sept. 2002	
Typed or printed name	John T. Li
Signature	Date

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Docket No. B129 USCP2DV2CN

Applicant: J. Browning et al.

Serial No.: 10/040,281

Filing Date: 11/07/2001

For: Lymphotoxin-B, Lymphotoxin-B Complexes, Pharmaceutical Preparations And Therapeutic Uses Thereof

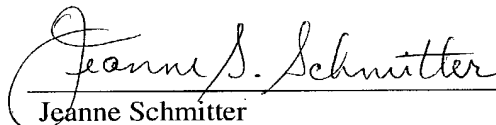
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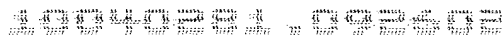
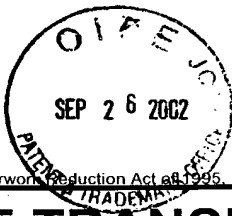
Transmittal Letter (1 pg.); Response to Notice of Incomplete Reply (Nonprovisional) (1 pg.);
Notice of Incomplete Reply (Nonprovisional) (2 pp.); Substitute Specification (63 pp.) with
Statement (1 pg.); Letter to Chief Draftsperson (1 pg.); Formal Drawings (18 pp.); Sequence
List (16 pp.); Sequence List in computer readable form (1 pg.) with Statement (1 pg.);
Petition for 5-month Extension of Time (1 pg.); Fee Transmittal (1 pg.); return postcard
is being deposited with the United States Postal Service under 37 CFR 1.10 as Express Mail
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Assistant Commissioner for Patents
Washington, D.C. 20231

on 26 September 2002
Date



Jeanne Schmitter



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PTO/SB/17 (09-00)
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$1850.00)

Complete if Known

Application Number	10/040,281
Filing Date	7 November 2001
First Named Inventor	Browning, Jeffrey et al.
Examiner Name	TBD
Group Art Unit	1635
Attorney Docket No.	B129USCP2DV2CN

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 02-2327
Deposit Account Name:

- ☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 710	201 355	Utility filing fee	
106 320	206 160	Design filing fee	
107 490	207 245	Plant filing fee	
108 710	208 355	Reissue filing fee	
114 150	214 75	Provisional filing fee	

SUBTOTAL (1) (\$) 0

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	= 0
Multiple Dependent	-3** =	X	= 0

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 80	202 40	Independent claims in excess of 3
104 270	204 135	Multiple dependent claim, if not paid
109 80	209 40	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 390	216 195	Extension for reply within second month	
117 890	217 445	Extension for reply within third month	
118 1,390	218 695	Extension for reply within fourth month	
128 1,890	228 945	Extension for reply within fifth month	\$1850.
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,240	241 620	Petition to revive - unintentional	
142 1,240	242 620	Utility issue fee (or reissue)	
143 440	243 220	Design issue fee	
144 600	244 300	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Petitions related to provisional applications	
126 240	126 240	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))	
179 710	279 355	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$1850.00)

SUBMITTED BY

Name (Print/Type)	John T. Li	Registration No. (Attorney/Agent)	44,210	Telephone	(617) 914-4704
Signature	John T. Li	Date	9-26-02		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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#10

U.S. Patent Application No. 10/040,281
Docket No. B129USCP2DV2CN

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jeffrey L. Browning et al.
Serial No.: 10/040,281
Filing Date: 7 November 2001
For: LYMPHOTOXIN-BETA, LYMPHOTOXIN-BETA COMPLEXES,
PHARMACEUTICAL PREPARATIONS AND THERAPEUTIC USES

CERTIFICATE OF MAILING

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Date: 26 Sept. 2002

Signature: Jeanne S. Schmitter
Jeanne S. Schmitter

STATEMENT REGARDING SUBSTITUTE SPECIFICATION

Box Missing Parts
Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Notice of Incomplete Reply (Nonprovisional), Applicants hereby submits a substitute specification under 37 CFR 1.52. Applicants assert that there is no new matter included.

Please replace the previously submitted specification with the enclosed replacement specification.

Respectfully submitted,

Date: 9-26-02

John T. Li
John T. Li
Reg. No. 44,210
BIOGEN, INC.
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